

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**  
**ORDER**

Application 22551 Permit 15379 License \_\_\_\_\_

**ORDER APPROVING CHANGES TO PLACE OF USE, ADDING AN ENDANGERED SPECIES TERM, AND AMENDING THE PERMIT**

**WHEREAS:**

1. Permit 15379 was issued to the City of Yreka (Town of Yreka City) on April 17, 1967 pursuant to Application 22551.
2. A petition to change Place of Use has been filed with the State Water Resources Control Board (SWRCB) on May 12, 1997 and the SWRCB has determined that good cause for such change has been shown.
3. The SWRCB has determined that the petition for change does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
4. Permit condition pertaining to continuing authority of the State Water Resources Control Board should be updated to conform to Section 780 (a), Title 23 of the California Code of Regulations.
5. Fish or wildlife species have been or may be listed under the federal Endangered Species Act and/or the California Endangered Species Act.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. A description of the land or place where water is put to beneficial use is as follows:

The City of Yreka (Town of Yreka City) service area boundary which is a gross 5,490 acres. The place of use is within Sections 7 and 18, T45N, R6W, MDB&M; Sections 12, 13, 14, 15, 21, 22, 23, 26, 27, 28, 33, 34, 35, T45N, R7W, MDB&M and within Sections 3 and 4, T44N, R7W, MDB&M and shown a map filed with the State Water Resources Control Board on March 4, 1998.

2. A continuing authority condition shall be updated and read as follows:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust, all rights and privileges under this license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permit may be required to implement a water conservation plan, features of which may include but not necessarily be limited to (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest; and is necessary to preserve or restore the uses protected by the public trust.

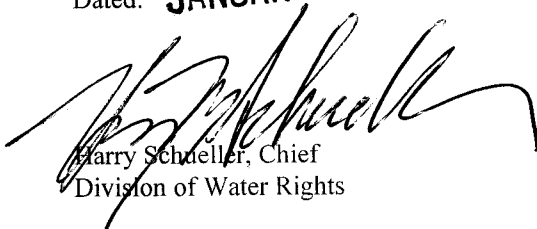
(0000012)

3. The addition of an endangered species condition to read as follows:

This permit does not authorize any act which results in the taking of a threaten or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "taking" will result from any act authorized under this water right, the permittee shall obtain an incidental take permit prior to construction or operation. Permittee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this license.

(0000014)

Dated: **JANUARY 8 1999**

  
Harry Schieller, Chief  
Division of Water Rights

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

Application 22551 Permit 15379 License           

**ORDER APPROVING A  
NEW DEVELOPMENT SCHEDULE**

**WHEREAS:**

1. Permit 15379 was issued to the town of Yreka City on May 17, 1967 pursuant to Application 22551.
2. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
3. The permittee has proceeded with diligence and good cause has been shown for said extension of time.

**NOW, THEREFORE, IT IS ORDERED THAT:**

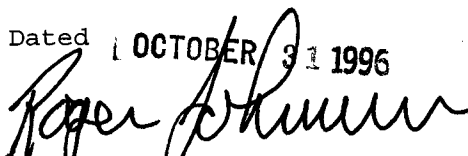
1. Condition 9 of the permit be amended to read:

COMPLETE APPLICATION OF THE  
WATER TO THE PROPOSED USE  
SHALL BE MADE ON OR BEFORE

December 31, 2005

(0000009)

Dated 1 OCTOBER 31 1996

*for*   
Edward C. Anton, Chief  
Division of Water Rights

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

**ORDER**

APPLICATION 22551 PERMIT 15379 LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING THE PERMIT

WHEREAS:

1. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
2. The permittee has proceeded with diligence and good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 9 of the permit is amended to read as follows:

COMPLETE APPLICATION OF THE  
WATER TO THE PROPOSED USE  
SHALL BE MADE ON OR BEFORE

December 1, 1994

2. Paragraph 11 of this permit is deleted. A new Paragraph 11 is added as follows:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will

be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

3. Paragraph 14 is added to this permit as follows:

Permittee shall consult with the Division of Water Rights and the Department of Water Resources and develop and implement a water conservation plan or actions. The proposed plan or actions shall be presented to the Board for approval within one year from the date of this order or such further time as may, for good cause shown, be allowed by the Board. A progress report on the development of a water conservation plan may be required by the Board within this period.

Dated: JUNE 4 1985

*Raymond Walsh*

Raymond Walsh, Chief  
Division of Water Rights

STATE WATER RESOURCES CONTROL BOARD

**DIVISION OF WATER RIGHTS**

ROOM 1015, RESOURCES BUILDING

1416 NINTH STREET • SACRAMENTO 95814



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE  
AND  
AMENDING PERMIT

PERMIT 15379

APPLICATION 22551

## WHEREAS:

1. A PETITION FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT AND APPLY THE WATER TO THE PROPOSED USE HAS BEEN FILED WITH THE STATE WATER RESOURCES CONTROL BOARD.

2. IT APPEARS THAT THE PERMITTEE HAS PROCEEDED WITH DILIGENCE AND THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME.

3. THE STATE WATER RESOURCES CONTROL BOARD HAS DULY AUTHORIZED THE CHIEF, DIVISION OF WATER RIGHTS TO SIGN THIS ORDER.

## NOW, THEREFORE, IT IS ORDERED THAT:

1. A NEW DEVELOPMENT SCHEDULE BE, AND IS HEREBY, APPROVED AS FOLLOWS:

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL  
BE COMPLETED ON OR BEFORE

DECEMBER 1, 1984

2. THE TOTAL ANNUAL DIVERSION AND USE ALLOWED UNDER SAID PERMIT 15379 BE LIMITED TO 6,300 ACRE-FEET.

3. PARAGRAPH 11 OF THE PERMIT BE AMENDED TO READ AS FOLLOWS: ALL RIGHTS AND PRIVILEGES UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO, INCLUDING METHOD OF DIVERSION, METHOD OF USE, AND QUANTITY OF WATER DIVERTED, ARE SUBJECT TO THE CONTINUING AUTHORITY OF THE STATE WATER RESOURCES CONTROL BOARD IN ACCORDANCE WITH LAW AND IN THE INTEREST OF THE PUBLIC WELFARE TO PREVENT WASTE, UNREASONABLE USE, UNREASONABLE METHOD OF USE, OR UNREASONABLE METHOD OF DIVERSION OF SAID WATER.

THIS CONTINUING AUTHORITY OF THE BOARD MAY BE EXERCISED BY IMPOSING SPECIFIC REQUIREMENTS OVER AND ABOVE THOSE CONTAINED IN THIS PERMIT WITH A VIEW TO MINIMIZING WASTE OF WATER AND TO MEETING THE REASONABLE WATER REQUIREMENTS OF PERMITTEE WITHOUT UNREASONABLE DRAFT ON THE SOURCE. PERMITTEE MAY BE REQUIRED TO IMPLEMENT SUCH PROGRAMS AS (1) REUSING OR RECLAIMING THE WATER ALLOCATED; (2) RESTRICTING DIVERSIONS SO AS TO ELIMINATE AGRICULTURAL TAILWATER OR TO

THE SECRETARY OF THE ARMY  
WASHINGTON, D. C.  
JAN 10 1945

MEMORANDUM FOR THE SECRETARY OF THE ARMY  
SUBJECT: [Illegible]

1. [Illegible]  
2. [Illegible]

3. [Illegible]  
4. [Illegible]

5. [Illegible]  
6. [Illegible]

7. [Illegible]  
8. [Illegible]

9. [Illegible]  
10. [Illegible]

11. [Illegible]  
12. [Illegible]

13. [Illegible]  
14. [Illegible]

15. [Illegible]  
16. [Illegible]

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18. [Illegible]

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34. [Illegible]

35. [Illegible]  
36. [Illegible]

37. [Illegible]  
38. [Illegible]

REDUCE RETURN FLOW; (3) SUPPRESSING EVAPORATION LOSSES FROM WATER SURFACES; (4) CONTROLLING PHREATOPHYTIC GROWTH; AND (5) INSTALLING, MAINTAINING, AND OPERATING EFFICIENT WATER MEASURING DEVICES TO ASSURE COMPLIANCE WITH THE QUANTITY LIMITATIONS OF THIS PERMIT AND TO DETERMINE ACCURATELY WATER USE AS AGAINST REASONABLE WATER REQUIREMENTS FOR THE AUTHORIZED PROJECT. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD DETERMINES, AFTER NOTICE TO AFFECTED PARTIES AND OPPORTUNITY FOR HEARING, THAT SUCH SPECIFIC REQUIREMENTS ARE PHYSICALLY AND FINANCIALLY FEASIBLE AND ARE APPROPRIATE TO THE PARTICULAR SITUATION.

4. THE QUANTITY OF WATER DIVERTED UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO IS SUBJECT TO MODIFICATION BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE PERMITTEE AND AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADEQUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES.

DATED: JUN 14 1974

  
R. L. ROSENBERGER, ACTING CHIEF  
DIVISION OF WATER RIGHTS

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RIGHTS BOARD

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT NO. 15379

Application 22551 of Town of Yreka City  
120 North Main Street, Yreka, California 96097

filed on August 12, 1966, has been approved by the State Water Rights Board  
SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Name of source(s):

Tributary to:

- |                |                   |
|----------------|-------------------|
| (a) Fall Creek | (a) Klamath River |
| (b)            | (b)               |
| (c)            | (c)               |
| (d)            | (d)               |
| (e)            | (e)               |

2. Location of point(s) of diversion:

Bearing and distance or coordinate distances from section corner or quarter-section corner	40-acre subdivision of public land survey or projection thereof	Section	Town- ship	Range	Base and Meridian
(a) S 5°26' E 2,525' from NW corner Sec. 30	SW ¼ of NW ¼	30	48N	4W	MD
(b)	¼ of ¼				
(c)	¼ of ¼				
(d)	¼ of ¼				
(e)	¼ of ¼				

County of Siskiyou

3. Place of use: Sections 14, 15, 21, 22, 23, 26, 27, 28, 33, and 34; T45N, R7W, MDB&M,  
as shown on map filed with the State Water Rights Board.

4. Purpose(s) of use: Municipal, domestic, and industrial

5. The water appropriated shall be limited to the quantity which can be beneficially used, and shall not exceed 15 cubic feet per second by direct diversion to be diverted from January 1 to December 31 of each year.

6. The maximum quantity herein stated may be reduced in the license if investigation warrants.

7. Actual construction work shall begin on or before June 1, 1968, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

8. Said construction work shall be completed on or before December 1, 1970.

9. Complete application of the water to the proposed use shall be made on or before December 1, 1971.

10. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.

11. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

12. Permittee shall allow representatives of the State Water Rights Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

13. This permit is subject to the protest dismissal terms as set forth in the Department of Fish and Game's protest dated December 2, 1966, and as agreed to by Resolution No. 880, adopted January 5, 1967, by the Council of the Town of Yreka City and placed on file with the State Water Rights Board.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, county, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: MAY 17 1967

STATE WATER RIGHTS BOARD

L. K. Hill  
L. K. Hill  
Executive Officer